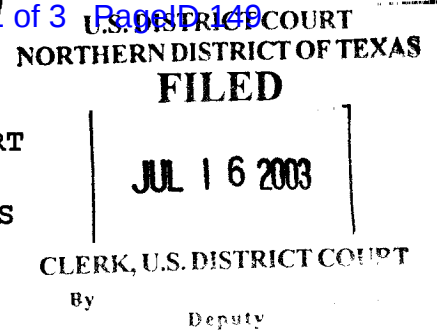


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



JAMES AVERY RUSH, IV

v.

NATIONAL BOARD OF MEDICAL  
EXAMINERS

§  
§ CIVIL ACTION CAUSE NUMBER  
§  
§  
§  
§ 2:03-CV-140-J  
§  
§  
§

**ORIGINAL RULE 16 SCHEDULING ORDER**

1. The parties shall be ready for trial by **March 29, 2004**. This is not a trial setting. This case will be set on an actual trial docket by later order of the Court.

2. Unless this case is exempt under Rule 26(a)(1)(E) of the Federal Rules of Civil Procedure, as amended effective December 1, 2000, counsel and any parties not represented by counsel will conduct a Rule 26(f) conference within 21 days from the date of this order. Rule 26(a)(1) disclosures are required not later than 14 days after the Rule 26(f) conference.

Counsel are reminded that the disclosures required by Rule 26(a)(1) are not to be filed with the Clerk.

3. The parties shall confer to develop a discovery plan and immediately after the Rule 26(f) conference begin discovery necessary for meaningful settlement negotiations and for mediation. Counsel shall file a joint report setting forth the status of

settlement negotiations by **October 24, 2003**. If the case has not settled, it will be subject to mandatory mediation.

4. All discovery procedures shall be initiated in time to complete discovery by **January 19, 2004**.

Counsel may extend the discovery deadline for a specific deposition or other specific discovery procedure by written agreement. However, no such extension will be considered good cause for an extension of any other deadlines or the time for mediation.

5. Parties seeking affirmative relief must file a written designation of expert witnesses by **September 22, 2003**, and must provide Rule 26(a)(2) disclosures to all other parties by **October 27, 2003**.

Parties opposing affirmative relief must file a written designation of expert witnesses by **October 10, 2003**, and must provide Rule 26(a)(2) disclosures to all other parties by **November 14, 2003**.

The expert designations are to be filed. Parties are to exchange Rule 26(a)(2) expert reports, but are not to file them.

6. Motions deadlines are as follows:  
To join parties: **September 5, 2003**.  
To amend pleadings: **January 16, 2004**.  
For summary judgment: **January 19, 2004**.  
All other motions except motions in limine: **February 2, 2004**.

7. The deadline for filing Rule 26(a)(3) disclosures is **February 23, 2004.**

8. Within 14 days after the Rule 26(f) conference the parties may file a request for a Rule 16 scheduling conference with the Court or may request modification of this Order, stating reasons for any request or modification. If such a request is not timely filed, **THESE SCHEDULING DEADLINES WILL BE FIRM** and shall not be modified except as specifically provided for herein or by leave of Court upon a detailed factual showing of good cause and due diligence in compliance with this Order.

It is SO ORDERED.

Signed this the 15<sup>th</sup> day of July, 2003.

  
**MARY LOU ROBINSON**  
UNITED STATES DISTRICT JUDGE